



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

BAILEY FORCIER
phone: (212) 356-5054
fax: (212) 356-3509
bforcier@law.nyc.gov

June 5, 2023

BY ECF

Honorable Ronnie Abrams
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Alroy D. Richards v. City of New York, et al.
20 Civ. 3348 (RA) (JW)

Your Honor:

I represent defendants the City of New York and New York City Police Department (“NYPD”) Officers Pastoriza and Saroff in the above-referenced matter. Defendants write to respectfully inform the Court of a scheduling conflict regarding the telephone conference currently scheduled for June 7, 2023, at 12:00 p.m., and to respectfully request that the Court adjourn the conference to a later date convenient for the Court. This is defendants’ first such request. Plaintiff consents to this request.

By way of background, plaintiff brings this action pursuant to 42 U.S.C. § 1983 alleging various constitutional violations including, *inter alia*, unfounded traffic stops and issuance of parking tickets in violation of the Fourth Amendment. (See ECF No. 55). On May 30, 2023, the Court dismissed plaintiff’s Third Amended Complaint in its entirety with the exception of plaintiff’s Fourth Amendment claim against defendant Saroff. (See ECF No. 100). Additionally, the Court scheduled a telephone conference to discuss the next steps in this action for June 7, 2023, at 12:00 p.m. (*Id.*)

However, I currently have a deposition in another case—Amaury Urena v. Captain Shaw, et al., 22 Civ. 04679 (RA) (GWG)—scheduled for the same date at 10:00 a.m. Rescheduling the deposition would be very difficult as (1) there is an impending discovery deadline in the case (see ECF No. 37) and (2) the other Assistant Corporation Counsel assigned to and supervising both Urena and this case—Zachary Kalmbach—is currently scheduled to go on leave starting June 16,

2023. As such, defendants respectfully request that the Court adjourn the conference to a later date convenient to the Court. For the Court's convenience, the parties are available for a telephone conference any time on June 14, 2023, or after 2:00 p.m. on both June 15 and June 22, 2023.

Thank you for your time and consideration.

Respectfully submitted,

/s/ *Bailey Forcier*
Bailey Forcier
Assistant Corporation Counsel

To: **Via Electronic Mail and First-Class Mail**
Alroy Richards
Plaintiff pro se
179 Elm Street
Valley Stream, NY 11580
alroyrichards7@gmail.com

The telephonic conference scheduled for June 7, 2023 is hereby rescheduled to June 14, 2023 at 4 p.m. The parties shall use the following dial-in information to call in to the conference: Call-in Number: (888) 363-4749; Access Code: 1015508.

SO ORDERED.



Hon. Ronnie Abrams
6/5/2023